

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

LAKEITH AMIR-SHARIF, #05081644,))	
Plaintiff,)	
)	
v.)	3:06-CV-0143-K
)	ECF
DALLAS COUNTY, et al.,)	
Defendants.)	

ORDER

The United States Magistrate Judge made findings, conclusions and a recommendation in this case. Plaintiff/Petitioner filed objections, and the District Court has made a *de novo* review of those portions of the proposed findings and recommendation to which objection was made. The objections are overruled, and the Court accepts the Findings, Conclusions and Recommendation of the United States Magistrate Judge.

IT IS, THEREFORE, ORDERED that the Findings, Conclusions and Recommendation of the Magistrate Judge are ACCEPTED.

It is further ORDERED as follows:

- (1) Plaintiff's claims related to the denial or delay of medical care at issue in No. 3:06cv0081-B, and his claims related to the May 8, 2005 excessive force incident and the subsequent denial of medical care at issue in No. 3:06cv0408-M, are DISMISSED without prejudice from this case because they are duplicative;

- (2) Defendants Parkland Memorial Hospital, Jail Health Coordinator Susan Phillips, Dr. Steven Bowers, and the University of Texas Medical Branch -- who are being sued in connection with the alleged denial of medical care at issue in No. 3:06cv0081-B -- are DISMISSED from this case;
- (3) Plaintiff's claims challenging the denial of access to the jail law library and ADA violations are DISMISSED with prejudice as frivolous pursuant to 28 U.S.C. §§ 1915A(b), 1915(e)(2)(B);
- (4) Plaintiff's claims for monetary relief on his conditions of confinement claims are DISMISSED for failing to meet the physical injury requirement of 42 U.S.C. § 1997e(e);
- (5) Plaintiff's Supplemental Document filed on October 4, 2006 (Doc. No. 89) is Stricken Per Order No. 83.
- (6) Plaintiff's Objection and Motion for Reconsideration of Motions/Documents Nos. 84, 85, 86, and 87, which were stricken by the Court's Order filed on September 25, 2006 is **DENIED**. The Clerk shall forward a copy of Order No. 83. to Plaintiff along with this order.
- (7) Process is ISSUED on Plaintiff's remaining claims as to Defendants Dallas County, Sheriff Valdez, Commissioner Mayfield, and Chief McMillian;
- (8) Since Plaintiff was previously granted leave to proceed *in forma pauperis*, the Clerk shall prepare and issue SUMMONS for Defendants Dallas County, Sheriff Valdez, Commissioner Mayfield, and Chief McMillian, and deliver

the same to the United States Marshal for service of process pursuant to Rule 4, Federal Rules of Civil Procedure, along with a copy of the Amended Complaint, Plaintiff's answers to the Magistrate Judge's Questionnaire, and the Findings, Conclusions and Recommendation of the Magistrate Judge.

This case is hereby referred to United States Magistrate Judge Paul D. Stickney pursuant to the Standing Order of Reference filed on August 22, 2006.

Signed this 5th day of October, 2006.

A handwritten signature in dark ink, reading "Ed Kinkeade". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

ED KINKEADE
UNITED STATES DISTRICT JUDGE